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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA) MAGISTRATE CASE NO.: '08 MJ 8181
Plaintiff,)
v.) 8, U.S.C., § 1324(a)(2)(B)(iii)
Jose CAMACHO-Melendez) Bringing in Aliens Without
Presentation (Felony)
Defendant)

The undersigned complainant, being duly sworn, states:

That on February 27, 2008, within the Southern District of California, defendant Jose CAMACHO-Melendez, with the intent to violate immigration laws of the United States, knowing and in reckless disregard of the fact that two aliens, namely, Angelica REYES-Valencia and Audelia TORRES-Gutierrez, had not received prior official authorization to come to, enter and reside in the United States, did bring to and attempt to bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate Customs Border Protection Officer at the designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

This complaint is based on the attached Statement of Facts which is incorporated herein by reference.

Izabel Figueroa
Izabel Figueroa,
CBP Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28th DAY OF
FEBRUARY 2008.

HON. PETER C. LEWIS
HON. PETER. C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jose CAMACHO-Melendez

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon
6 the reports of the apprehending officer and the investigation
7 conducted by U.S. Customs Border Protection (CBP) Officer Diana
8 I. Contreras.

9 On February 27, 2008, at approximately 4:20 A.M., subject
10 identified by his lawfully issued DSP-150 card as Jose CAMACHO-
11 Melendez, arrived at the Calexico, CA West Port of Entry as the
12 driver of a Ford F-250 Pick up Truck.

13 During primary inspection, CAMACHO-Melendez gave a negative
14 Customs declaration to Customs and Border Protection Officer
15 (CBPO) Veronica Fonseca. CBPO Fonseca questioned the driver as
16 to his destination and ownership of the vehicle. CAMACHO-
17 Melendez stated he was going to Las Palmas in Calexico, CA to
18 buy washers and that the vehicle was the company's truck. CBPO
19 Fonseca referred the vehicle to the secondary lot for further
20 inspection and for a user fee.

21 In vehicle secondary, CBPO Justin VanArsdall approached the
22 vehicle and received a negative Customs Declaration from
23 CAMACHO-Melendez. CBPO VanArsdall asked CAMACHO-Melendez where
24 he was going and if the vehicle belonged to him. CAMACHO-
25 Melendez stated to CBPO VanArsdall that he was going to buy
26 washers and that the vehicle belonged to the company he worked
27 for. CBPO VanArsdall asked CAMACHO-Melendez to open the hood.
28 CAMACHO-Melendez unlatched the hood release from inside the

1 vehicle and proceeded to the vehicle secondary lobby to pay for
2 the user fee. CBPO VanArsdall discovered two aliens. It was
3 determined that both aliens were natives and citizens of Mexico
4 with no legal documents to enter into, reside or be employed in
5 the United States. The undocumented aliens were identified as
6 Angelica REYES-Valencia and Audelia TORRES-Gutierrez.

7 CAMACHO-Melendez was placed under arrest. CAMACHO-Melendez
8 was advised of his rights per Miranda in the Spanish language.
9 CAMACHO-Melendez acknowledged his rights.

10 Material Witness, Angelica REYES-Valencia stated that she
11 is a citizen of Mexico and that she does not possess any
12 documentation that would facilitate her lawful admission into
13 the United States. REYES-Valencia stated that a gentleman that
14 traveled with her and TORRES-Gutierrez made the smuggling
15 arrangements. REYES-Valencia stated she was taken to a house at
16 an unknown location and put in under the hood of the vehicle.
17 REYES-Valencia stated she was to pay \$4500.00 to be smuggled
18 into the United States and that her final destination would have
19 been Chicago, Illinois, where she can reunite with her husband
20 and child. REYES-Valencia was shown a photo line-up and was not
21 able to identify CAMACHO-Melendez as the person that put her in
22 the engine compartment or that was driving the vehicle

23 Material Witness, Audelia TORRES-Gutierrez stated that she
24 is a citizen of Mexico and that she does not posses any
25 documentation that would facilitate her lawful admission into
26 the United States. TORRES-Gutierrez stated that her and REYES-
27 Valencia went to a store and asked if there was anyone that
28 could cross them. TORRES-Gutierrez met some men that told her

1 they would be able to cross them into the United States.
2 REYES-Valencia stated she was to pay an unknown amount of money
3 once successfully crossed into the United States and that her
4 final destination would have been Santa Ana, California.
5 TORRES-Gutierrez was shown a photo line-up and was not able to
6 identify CAMACHO-Melendez as the person that put her in the
7 engine compartment or that was driving the vehicle.

8 Material Witnesses:

9 Name	Country of Birth
10 Angelica REYES-Valencia	Mexico
11 Audelia TORRES-Gutierrez	Mexico

12 Further, the complainant states that Angelica REYES-
13 Valencia and Audelia TORRES-Gutierrez are citizens of a country
14 other than the United States; that said aliens have admitted
15 that they are deportable; that their testimony is material, that
16 it is impracticable to secure their attendance at the trial by
17 subpoena; and they are material witnesses in relation to this
18 criminal charge and should be held or admitted to bail pursuant
19 to Title 18, United States Code, Section 3144.
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